

Regular Council Meeting—May 13, 2014

The meeting of the Council of the Town of Altavista was held in the Council Chambers of the J.R. Burgess Municipal Building, 510 Seventh Street on May 13, 2014 at 7:00 p.m.

1. Mayor Mattox called the meeting to order and presided.
2. Pastor David Sage, Grace Community Church, gave the invocation.

Council members
present:

Mayor Michael Mattox
Mrs. Beverley Dalton
Mr. Charles Edwards
Mr. Tracy Emerson
Mr. Bill Ferguson
Mr. Timothy George
Mr. Jay Higginbotham

Also present:

Mr. J. Waverly Coggsdale, III, Town Manager
Mr. Daniel Witt, Assistant Town Manager
Mrs. Tobie Shelton, Finance Director
Chief Kenneth Walsh, Police Department
Captain Brian Murray, Police Department
Mr. David Garrett, Public Works/Utilities Director
Mr. Steve Bond, Wastewater Treatment Director
Mrs. Megan Lucas, Economic Dev. Director
Mr. John Eller, Town Attorney
Mrs. Mary Hall, Administration

3. Mayor Mattox asked if there were any questions regarding the agenda.

A motion was made by Mr. Ferguson, seconded by Mr. Emerson, to approve the agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

4. Public Comment

Mayor Mattox asked if anyone would like to speak on anything not listed on the agenda.

Mr. Richard Shelton, 281 Easome Road, Hurt, Virginia, addressed Council in regards to the application fees associated with the Utility accounts. Mr. Shelton stated he was unclear on the charges to a renter as opposed to the owner of a property. He felt the fees charged were excessive and asked Council to reconsider these charges.

Mrs. Shelton advised of the rate changes effective July 1, 2013; noting the changes call for a \$25.00 application fee, \$50.00 fee for property owners and \$125.00 fee for renters.

Mayor Mattox asked the Public Works Committee to review.

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5. Special Items or Recognitions

Mr. Edwards recognized and welcomed Mr. Brian Murray to the Police Department as Captain. Mr. Murray worked with the Altavista Police Department previously and presently with the Campbell County Sheriff's Office before returning to the Altavista Police Department.

6. Consent Agenda

- a) Approval of Minutes-Regular Meeting April 8, 2014; Special Called Meeting May 5, 2014
- b) Receive monthly review of Invoices
- c) Receive monthly review of Revenue & Expenditures
- d) Receive monthly review of Reserve Balance/Investment Report
- e) Departmental Monthly Reports
 - Administration
 - Altavista on Track
 - Business License
 - Community Development
 - Economic Development
 - Police Department
 - Public Works Department
 - Transit System
 - Wastewater Department
 - Water Department

A motion was made by Mrs. Dalton, seconded by Mr. George, to approve the items as listed on the consent agenda.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

7. Public Hearings

a) FY2015 Budget and Capital Improvement Program (CIP)

Mr. Coggsdale advised tonight's public hearing would be an opportunity for the public to express their thoughts on the proposed FY2015 Budget and Capital Improvement Program (CIP). He noted following tonight's public hearing, Town Council will have an opportunity to consider the comments and make any adjustments that they feel necessary. He asked Council to consider a work session prior to the June 10th regularly scheduled meeting if there were items they needed to discuss further. Staff will seek adoption of the FY2015 Budget and FY2015-2019 Capital Improvement Program (CIP) at the June meeting. Mr. Coggsdale reported the following:

The General Fund Revenue is estimated at:	\$4,145,600
The Enterprise Fund Revenue is estimated at:	\$2,678,300
The Highway Fund Maintenance Revenue is estimated at:	\$585,000
The Cemetery Fund Revenue is estimated at:	\$27,500

The proposed operating expenditures for all funds are \$7,436,400 with \$25,000 being transferred to the Cemetery Fund; \$717,800

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being transferred to the General Fund Reserves; and \$264,550 being transferred to the Enterprise Fund Reserves. There is no proposed increase to any of the Town's tax rates. The PPTRA relief is estimated to be 63%. There is a proposed 5% increase to the Utility rates (Water & Sewer) included in the FY2015 Budget. The Capital Improvement Program for FY2015-2019 totals \$4,187,900; the FY2015 Capital Improvement Program items represent \$750,000 of the total and are included in the FY2015 Budget.

Mayor Mattox opened the public hearing at 7:11 p.m. and asked if anyone would like to speak.

Mr. Mitchell Bernard, 1701 Avondale, came forward. Mr. Bernard asked questions in regards to the water system. He questioned if funds were budgeted to cover painting the Melinda Drive water tank.

Mr. Coggsdale responded staff is currently drafting a Request for Proposals.

Mr. Bernard asked if the budget included any funds for improvements on the Reed Creek spring.

Mr. Coggsdale advised this item is routinely covered in the Capital Improvement Plan.

Mr. Bernard stated maintaining it in its currently status is a repetition of an existing problem; if there is no upgrade he suggested it be done with the funds allotted.

Mayor Mattox referred this matter to the Public Works Committee.

Mayor Mattox asked if anyone else would like to come forward and speak. No one came forward. He closed the public hearing at 7:13 p.m.

Mayor Mattox noted there are some budget issues that need to be addressed including the proposal for a reduction in the real estate tax rate, capital improvement program funding and an increase in the health/dental insurance and called for a work session to be scheduled.

8. Standing Committee/Commission/Board Reports

a) Council Committees

i. Finance/Human Resources Committee

Mrs. Dalton stated the Finance Committee would like to schedule a work session to discuss financing water infrastructure upgrades. She noted a Financing Consultant has a presentation as well and asked that this be included in the work session.

After some discussion, the continued meeting was set for May 20, 2014 at 5:00 p.m.

A motion was made by Mrs. Dalton, seconded by Mr. George, to schedule adoption of the FY2015 Budget and CIP for the June 10, 2014 Town Council meeting.

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Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Request to write off Delinquent Water/Sewer Accounts

Mrs. Dalton advised staff forwarded to the Finance Committee a list of delinquent water and sewer accounts that they felt should be written off; thirteen delinquent accounts that are over five years old totaling \$917.16 and one account for a deceased individual totaling \$80.68.

A motion was made by Mrs. Dalton, seconded by Mr. Edwards, to write off fourteen water/sewer accounts as presented in the amount of \$997.84.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Ivy Acres Water Bill Waiver Request

Mrs. Dalton advised staff forwarded information to the Committee regarding an issue related to a water leak at the Commonwealth Mobile Home Park in late 2012. In accordance with Town policy, the owner was granted a utility adjustment at the time of the occurrence. The owner continues to pay the monthly bill but is not paying the previous charges of \$1,752.19 which she is requesting be waived. Mrs. Dalton advised the Finance Committee recommends the waiver not be granted and the balance be collected.

Altavista Revolving Loan Fund Request

Mrs. Dalton advised staff submitted information relating to an application to the USDA for a Rural Business Enterprise Grant (RBEG) that would establish a revolving loan fund to assist small and emerging private businesses and industries in Altavista. The grant would be for \$99,500 and the local match would be \$30,000. The Altavista Economic Development Authority (AEDA) has authorized \$15,000 towards the local match and the Finance Committee recommends the Town of Altavista contributes \$15,000 as a local match.

A motion was made by Mrs. Dalton, seconded by Mr. Ferguson, to allocate \$15,000 from the General Fund reserves for the local match of the USDA RBEG grant application.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

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Mrs. Dalton noted these funds would cover a variety of needs for businesses; startup, expansion, etc.

- ii. Police/Legislative Committee
- iii. Public Works/Utility Committee

WWTP Emergency Overflow Pond-PCB Issues

Mr. Ferguson advised at the Special Meeting on May 5, 2014, Council approved the purchase of additional trees for the PCB ponds. He asked Mr. Garrett for an update.

Mr. Garrett advised Council the dike has been installed with burlap in place to prevent erosion. He stated the first round of trees have been planted. A grid map of the sample locations has been created; with the first round of samples being collected. Mr. Garrett stated he was gathering pricing for the mulberry trees as well.

Mr. Ferguson noted in regards to the previous discussions on conducting a work session that would focus on the research efforts of the emergency overflow pond, the Public Works Committee decided the July/August timeframe would be best.

Street Closure-10th Street-First Baptist Church

Mr. Ferguson advised the Public Works/Utility Committee reviewed a request by First Baptist Church to close a portion of 10th Street during their joint Vacation Bible School with Altavista Presbyterian Church. The request is for the closure of a portion of 10th Street from Bedford Avenue to the Commonwealth Alley on Sunday, June 22nd from 4-8 p.m. and for Monday through Wednesday, June 23rd-25th from 6-8 p.m.

A motion was made by Mr. Ferguson, seconded by Mr. George, that the request of First Baptist Church for the closure of portion of 10th Street, as outlined, be granted.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Other Items

Mr. Ferguson mentioned the Committee has asked staff to review the staffing of the Utility Departments.

b) Others

- i. AEDA Action Plan/Town ED Strategic Work Plan Update

Mrs. Lucas addressed Council and presented a summary of the AEDA Action Plan/Town ED Strategic Work Plan.

Mayor Mattox thanked Mrs. Lucas for the work she has done thus far.

9. New Business

a) Water Asset Management Study-Waterline Projects

i) Project 1A (Bedford Avenue) Norfolk Southern Standard Pipe License Agreement (AECOM)

Mr. Coggsdale advised the Town previously began the process of developing the engineering plans for the initial project associated with the Water Asset Management Study. The first project, labeled as the "Bedford Avenue Waterline- Project 1A is currently in the final design phase and is being reviewed by the appropriate agencies. He stated this project requires "crossing" the railroad at two locations, the first being between English Park and Main Street and the second being "under" the trestle over Bedford Avenue. The engineering firm has been in correspondence with Norfolk Southern and has received an agreement from their agent (AECOM) regarding the required license agreement for the "crossing" between English Park and Main Street. The Town has received a copy of the agreement which needs to be signed and accompanied by payment in the amount of \$19,100. He noted this amount covers the insurance fee (\$1,000) and a one-time license fee (\$18,100).

A motion was made by Mr. Edwards, seconded by Mrs. Dalton, to authorize the Town Manager to execute the License Agreement and submit payment in the amount of \$19,100.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

ii) Project 1B (Main Street)-Engineering Fee Proposal and Project Timeline

Mr. Coggsdale advised of previous discussion by Town Council regarding scheduling of the projects associated with the study, created a timeframe of one project every two years or so. The second identified priority project would be the Main Street Waterline – Project 1B and based on the schedule the project would be set for construction approximately two years from now. Based on recent conversations with the Virginia Department of Transportation (VDOT), the resurfacing of Main Street was included on their 2015 paving schedule. Recognizing that this would create a situation where they would pave one year and the Town would begin the Main Street Waterline project one year later, staff has had a conversation with VDOT regarding the feasibility of delaying the resurfacing of Main Street by one year and including it in the 2016 paving schedule, to which VDOT would agree. Based on this, the Town would need to move the design and construction of the Main Street Waterline Project up by one year.

Mr. Higginbotham felt the proposal needs to be reviewed.

Mayor Mattox referred Project 1B—Engineering Proposal and Project Timeline to the Public Works Committee.

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b) Use of Town Property-Valley View Drive

Mr. Coggsdale advised of a request received by Mr. Witt from a prospective buyer of lots located in the vicinity of Valley View Drive. The buyer is seeking permission to establish a driveway on Town property. The lots front on unopened right of way. Mr. Coggsdale stated if it was Council's desire to grant this request, staff would ask Mr. Eller, Town Attorney to work with the real estate agent and/or owner to create language that could be included in the deed of the property.

Mr. Eller advised Shortt Realty is work with the property owner. He advised the agreement would be with Mrs. Lowman and the Town of Altavista. The Town would grant Mrs. Lowman the right to build the driveway. Once the lots are sold, each buyer would have to agree to the terms of the agreement. He presented Council with recommended language for the agreement.

Mayor Mattox referred this matter to the Public Works Committee for review.

10. Unfinished Business

A) Dearing Ford Water Tank Conveyance

Mr. Coggsdale advised at the May 6th, Campbell County Board of Supervisors meeting, they conducted a public hearing regarding the conveyance of the Dearing Ford water tank to the Town of Altavista. The conveyance agreement sets forth the conditions under which the Town of Altavista can be reimbursed up to \$40,000 for costs associated with the maintenance or demolition of the tank within the 18 months immediately following the date of recordation of the deed.

A motion was made by Mr. Ferguson, seconded by Mr. Edwards, to authorize the Town Manager to execute the Conveyance Agreement and accept the deed for the tank and corresponding property.

Mr. Eller advised he had reviewed the Conveyance Agreement and felt Paragraph #4 was questionable. This paragraph reads as:

Town Responsibilities. The Town agrees that it will be solely responsible for any costs in excess of \$40,000 related to this property, including but not limited to, maintenance of the tank and property, demolition of the tank, or modification of the water line piping should the tank be removed. The Town agrees that it will either maintain the tank in good condition or demolish it if no longer required for water storage.

Mr. Eller stated there is no time limit on that sentence and questioned what is considered "good condition".

Mrs. Dalton suggested eliminating the last sentence.

Mr. Eller stated the agreement would have to be referred back to the County.

Mrs. Dalton did not feel there would be any effects on the County once the Town received the tank. She asked if the County would be inspecting the tank to see if it is being kept in a certain condition. Can the Town convey the tank, agree to the \$40,000 for 18 months, and be done?

Mr. Eller stated in his conversation with Ms. Kristin Wright, Campbell County Staff Attorney, he asked if this meant the obligation was indefinite and she responded yes. Mr. Eller said he also questioned the "good condition" and she responded it should not be an eyesore. He asked if at some point the tank would become property of the Town. She responded that was not the deal, the deal is the tank remains in good condition.

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Mrs. Dalton stated the Town’s intent is to maintain the tank in good condition and felt a substitute sentence stating that may be appropriate.

Mr. Coggsdale felt the County’s objective is they don’t want an eyesore and this statement is their way of addressing this. Mr. Coggsdale asked Council for the language to convey to the County.

Mrs. Dalton responded the intent is to maintain the tank in reasonable condition or demolish. The town does not intend for the tank to become an eyesore.

The motion was amended for the verbiage to include “the Town will maintain the tank in a reasonable condition”.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

11. Manager’s Report

- a) Project Updates
- b) Other Items as Necessary
- c) Informational Items
- d) Town Council Calendars (May/June)

12. Matters from Town Council

Mr. Emerson stated he has received questions in regards to the usage of the old Vista Theater on Main Street; if it is being used as a garage.

Mr. Coggsdale stated he has not been in the building and did not know.

Mr. George stated he has heard there are cars stored there.

Mr. Emerson asked if the Town Code allows for that usage.

Mayor Mattox referred this matter to the Legislative Committee for review.

Mayor Mattox asked Mr. Coggsdale to draft resolutions for the Altavista High School Basketball Team and the Altavista High School Forensic Team on their championship wins.

A motion was made by Mrs. Dalton, seconded by Mr. Emerson, to authorize the Town Manager to draft resolutions for the Altavista High School Basketball Team and Forensic Team.

13. Closed Session

I move that the Altavista Town Council convene in closed session in accordance with the provisions set out in the *Code of Virginia*, 1950, as amended,

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Section 2.2-3711 (A)(1) Discussion, consideration or interviews of prospective candidates for employment; assignment, appointment, promotion, performance, demotion, salaries, disciplining or resignation of specific public officers, appointees or employees of any public body.

A motion was made by Mrs. Dalton, and seconded by Mr. Emerson.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Council went into closed session at 8:00P.M.

Notice was given that council was back in regular session 8: 12P.M.

FOLLOWING CLOSED SESSION:

A motion was made by Mrs. Dalton, seconded by Mr. George, to adopt the certification of a closed meeting.

CERTIFICATION OF CLOSED MEETING

WHEREAS, the town council has convened a closed meeting on this date pursuant to an affirmative recorded vote and in accordance with the provisions of The Virginia Freedom of Information Act; and

WHEREAS, Section 2.2-3712 of the Code of Virginia requires a certification by the town council that such closed meeting was conducted in conformity with Virginia law;

NOW, THEREFORE, BE IT RESOLVED that the town council hereby certifies that, to the best of each member's knowledge, (i) only public business matters lawfully exempted from open meeting requirements by Virginia law were discussed in the closed meeting to which this certification resolution applies, and (ii) only such public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the town council.

Motion carried:

VOTE:	Mr. Michael Mattox	Yes
	Mrs. Beverley Dalton	Yes
	Mr. Charles Edwards	Yes
	Mr. Tracy Emerson	Yes
	Mr. Bill Ferguson	Yes
	Mr. Timothy George	Yes
	Mr. Jay Higginbotham	Yes

Mayor Mattox asked if there was anything else to bring before Council.

The meeting was continued to May 20, 2014 at 5:00 p.m.

Michael E. Mattox, Mayor

J. Waverly Coggsdale, III, Clerk